

EXHIBIT

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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

In re:

**CHARLES THOMAS BROWN d/b/a TOM
BROWN PREFERRED TRUST COMPANY,**

Debtor,

MAUREEN GAUGHAN, Chapter 7 Trustee

Plaintiff

v.

ANN AKAMINE; *et al.*

Defendants

Proceedings Under Chapter 7

No. 97-14228-PHX-GBN

Adversary No. 99-00746

**AFFIDAVIT IN SUPPORT OF TRUSTEE'S
APPLICATION FOR DEFAULT
JUDGMENT**

T. BRENT GALLIGAN, after first being duly sworn, states as follows:

1. I am the attorney for the Plaintiff, Maureen Gaughan, Chapter 7 Trustee for Charles Thomas Brown, and file this affidavit in compliance with Rule 7055(b)(1), Federal Rules of Bankruptcy Procedure.

2. Defendants, Cecilia Chandler, Charles A. Hill, and Jerry Raynor (collectively the "Non-Answering Defendants") have failed to plead or otherwise defend this action as provided by the Federal Rules of Bankruptcy Procedure.

3. Pursuant to Rule 7055(a), the Clerk entered an Entry of Default against the Non-Answering Defendants on December 29, 2000.

4. Trustee is entitled to judgment in her favor and against each Non-Answering Defendant for the sum certain amounts as they appear in the Trustee's Application for Default Judgment.

5. In compliance with 50 U.S.C. App. §520(1), the Trustee is unable to determine whether or not the Non-Answering Defendants are in military service.

WHEREFORE, the affiant requests that Judgment By Default be entered against each of the Non-Answering Defendants, as identified herein.

DATED this 12th day of January, 2001.

RYLEY, CARLOCK & APPLEWHITE, P.A.

By: *T. Brent Galligan*
John J. Fries
T. Brent Galligan
Attorneys for Chapter 7 Trustee Maureen Gaughan

[illegible]

On this 12th day of January, 2001, before me, the undersigned officer, personally appeared T. Brent Galligan, whose signature appears above, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged to me that this instrument was executed for the purposes herein contained.

IN WITNESS WHEREOF, I have set my hand and official seal.

My Commission Expires:

Janet L. Reynolds
NOTARY PUBLIC

